

REMARKS

Claims 14-20 are pending in this application, and have been added to provide Applicants with a more complete scope of protection. Claims 1-13 have been canceled, without prejudice or disclaimer of subject matter. Claims 14, 19, and 20 are in independent form. Claims 14-20 are drawn to the elected group, Group I. Affirmation of the election of that Group is hereby made.

A Claim To Priority and certified copies of the priority documents for this application were filed on November 2, 2000, as evidenced by the returned receipt postcard bearing the stamp of the Patent and Trademark Office, a copy of which is attached hereto. Applicant respectfully requests acknowledgment of the claim for foreign priority and receipt of the certified copies.

An Information Disclosure Statement and a corresponding Form PTO-1449 were filed on August 22, 2000, as evidenced by the returned receipt postcard bearing the stamp of the Patent and Trademark Office, a copy of which is attached hereto. Applicant respectfully requests the Examiner to return an initialed copy of the Form PTO-1449, indicating the references cited thereon were considered.

The Office Action rejected Claims 1-9, 11, and 12 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-9, 11 and 12 were also rejected under U.S.C. § 112, second paragraph, as being indefinite. Cancellation of these claims renders their rejections moot.

Applicant notes that the Office Action stated, regarding these claims, that there was no description in the claims of how the plural patches are arranged. New Claims 14-20 have been added and have been drafted with special attention to the points raised in

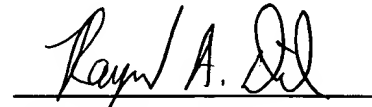
the Office Action. Those claims define in greater detail the manner in which patches are arranged, and do not recite merely descriptive material. For example, independent Claim 14 recites a patch image preparation method for preparing a patch image, comprising “a setting step, of setting kinds of patches included in the patch image in response to an instruction by a user”, “a selection step, of selecting an arrangement patch from the patches set in said setting step”, “a determination step, of determining an arrangement nonpermission area of the arrangement patch”, and “an arrangement step, of arranging the arrangement patch in an area other than the arrangement nonpermission area”, “wherein said patch image preparation method causes execution of said selection step, said determination step, and said arrangement step to all the patches set in said setting step.” Independent Claims 19 and 20 are computer readable recording medium and apparatus claims, respectively, corresponding to method Claim 14.

It is submitted that new Claims 14-20 each comply fully with the requirements of 35 U.S.C. §§ 101 and 112, second paragraph, and therefore allowance of those claims is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and the allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Raymond A. DiPerna", is written over a horizontal line.

Raymond A. DiPerna
Attorney for Applicant

Registration No. 44,063

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 438839v1